

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

**In re: Bextra and Celebrex Marketing
Sales Practices and Product Liability
Litigation**

JOAN DIGGS, individually,

Plaintiff,

v.

PFIZER, INC., PHARMACIA CORP.,
and G.D. SEARLE & CO.,

Defendants.

MDL No. 1699

District Judge: Charles R. Breyer


Case No.: CASE NO. 3:07-cv-2900-CRB

**STIPULATION AND PROPOSED ORDER
OF DISMISSAL WITH PREJUDICE**

Comes now the Plaintiff and Defendants, by and through their undersigned attorneys, pursuant to the terms set forth in the confidential settlement term sheet (§II, ¶A, 3) and Federal Rule of Civil Procedure, Rule 41, and hereby stipulate to dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

Respectfully submitted this the 8th day of July, 2009.

Defendants:

By:  _____

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Plaintiff:

By:  _____

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Attorney for Plaintiff

ORDER OF DISMISSAL WITH PREJUDICE

THIS MATTER having come before this Court on the Parties Stipulation of Dismissal, it is hereby ORDERED AND ADJUDGED:

This matter is dismissed with prejudice with each side bearing its own attorneys' fees and costs.

DONE AND ORDERED this 10th day of July, 2009, in San Francisco, California.

Conformed copies to:
B. Kristian W. Rasmussen, Esquire
Michelle W. Sadowsky, Esquire

